

Article - Health - General

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§24-209.

(a) (1) In this section the following words have the meanings indicated.

(2) “Customer” means an individual who is lawfully on the premises of a retail establishment.

(3) “Eligible medical condition” means:

(i) Crohn’s disease, ulcerative colitis or any other inflammatory bowel disease, or any other medical condition that requires immediate access to a toilet facility; or

(ii) A condition that requires the use of an ostomy device.

(b) At the request of a customer during normal business hours, and where a public restroom is not readily available, each retail establishment that has a toilet facility for its employees shall allow the customer to use the facility if:

(1) Three or more employees of the retail establishment are working at the time the customer requests use of the facility; and

(2) The customer suffers from an eligible condition that is documented with a signed statement by the customer’s health care provider on an identification card that has been prepared by the Maryland Department of Health in accordance with subsection (c) of this section.

(c) The Maryland Department of Health shall develop a standard identification card that is available on the Department’s website to be printed and signed by a health care provider as evidence of the existence of an eligible medical condition.

(d) Notwithstanding any provision of this section, an employee toilet facility is not to be considered a public restroom.

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